

issue, and hopefully we will have enough votes in the Senate so the administration will back off this ill-timed and ill-advised proposal.

I would like to know who really came up with this idea that somehow we are just going to, with the stroke of a pen, exempt people from overtime pay who are now getting it; we are just going to reclassify them. Well, I would like to know who that misguided "genius" was behind that decision. And whoever it is ought to have no place in this Labor Department or in this administration or anywhere in government.

So I hope we can take this amendment up as soon as possible, and I hope the Senate will approve it.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

#### INACCURATE INTELLIGENCE INFORMATION

Mr. DURBIN. Mr. President, there has been a great deal of debate in Washington, DC, about the circumstances leading up to the invasion of Iraq earlier this year. No one has come to the defense of Saddam Hussein, nor should they. He was a tyrant who oppressed his people. The fact that he is out of power is in the best interest of not only the people in Iraq but in the Middle East and the world.

But leading up to our invasion of Iraq were a series of statements and events from the administration justifying our role and our leadership. They were hotly debated on the floor of the Senate last October, leading to a vote on the use of force resolution—a vote which 23 of us opposed, believing that if we were going to be engaged in Iraq, it should be on an international basis, using the United Nations and other countries to join us in a coalition that would not only lead to a successful military invasion but also to a successful peace afterward, stability in Iraq for years to come.

The prevailing view, the majority view in the House and the Senate, was otherwise, giving the President the authority to go forward with this military invasion of Iraq. And so, for the months that followed between October and the ultimate invasion, the administration came forward with additional evidence, additional statements, and additional rationalization for our role and our leadership.

One of the key moments in the development of this case against Iraq and support by the American people was President Bush's State of the Union Address. It is a historic gathering each year, where a joint session of Congress comes together in the House Chamber, joined by the President's Cabinet, the Supreme Court, the diplomatic corps, and scores of people in the balconies, as the President comes and speaks from his heart to the American people. It is probably the most closely watched and covered Presidential speech of any

year, and should be, because the President really tries to outline where America is and where it is going.

So we listened carefully to each word. And many times during the course of that speech, President Bush made his case for the United States invasion of Iraq. One of the statements he made during the course of that speech has taken on quite a bit of controversy. It was a statement that the President made, attributing to British intelligence sources, which suggested that from the African country of Niger there was a sale or shipment of uranium which could be used for nuclear weapons in Iraq. President Bush said those words in his State of the Union Address. And, of course, this was growing evidence of our concern about the increased militarization of Saddam Hussein and his threat not only to his people and the region but to other nations as well.

This was one of many elements in the President's case against Iraq, but it was an important one because there was the belief that if Saddam Hussein had moved beyond chemical and biological weapons and now could threaten the world with nuclear weapons, he had to be viewed in a different context, as a much more dangerous leader than ever before. So people listened carefully to President Bush's statement.

But then, after that State of the Union Address—within a matter of days—questions were being raised as to the truthfulness of the President's statement, whether or not it was accurate to say that uranium or any type of nuclear fissile material had been sent from an African nation to Iraq. The debate ensued for many months, even as the invasion started.

Last night, CBS issued a special report based on statements coming out of the Central Intelligence Agency. Those statements are very troubling. Those statements indicate that America's intelligence agencies came to the White House before the State of the Union Address and told the National Security Council there was no credible evidence linking Niger or any African nation with providing nuclear fissile materials to Iraq, and despite that statement from the CIA to the National Security Council, and to the White House, decisions were made in the White House for the President to go forward with his speech saying exactly the opposite, carefully wording it so that it attributed that information to British intelligence sources, carefully making certain that the President did not allude to the fact that American intelligence sources thought that was not a credible statement.

So where do we stand today? The President said earlier this week that he apologizes, that that was an unsubstantiated remark and it was not accurate. And now, with this release of information from our intelligence agencies, reporters, who are traveling with the President and his group in Africa, are asking the leaders of the White House

who made this decision, who decided to go forward with the statement in the President's State of the Union Address which was not accurate, which was misleading.

Condoleezza Rice, the President's National Security Adviser, insists that George Tenet of the CIA approved this information that was included in the President's speech. George Tenet, in a press report, said he did not, he was not involved in making that statement to the White House. Two of the highest officials in the Bush administration are at odds as to who was responsible for that information. That question has to be asked and answered, and it has to be done so immediately.

I can think of nothing worse than someone at the highest level of leadership in the White House deliberately misleading the President or deliberately misleading the American people about something as essential as whether or not nuclear materials were being sent into Iraq before our invasion.

What was at stake, of course, was not just another foreign policy debate. What was at stake was an invasion of military force, largely led by the United States, putting American lives on the line.

The case was being made in that State of the Union Address for the American people to rally behind the President, rally behind the troops, and invade Iraq. And now we know that one of the elements—one of the central elements—in that argument was, at best, misleading—that in fact we knew better. We knew, based on our own investigation, based on a visit by former Ambassador Joe Wilson, based on the evidence of forged documents, that uranium and other fissile materials were not in fact transported from Niger to Iraq. Despite that, in the State of the Union Address, exactly the opposite was said.

Yesterday, on the State Department authorization, I offered an amendment, a bipartisan amendment, joined in by several of my Democratic colleagues and many of my Republican colleagues, calling on the inspectors general in the Department of State and the CIA to get to the bottom of this, and do it immediately. I believe the American people deserve an answer. We need to know what White House official decided to distort the intelligence information and give the President a statement which was in fact misleading.

I want to make it clear that there is no evidence whatsoever that the President knew this information was inaccurate. I do not make that accusation, nor will I. But someone knew. Someone in the White House knew the National Security Council had been briefed and told that this information was not accurate, and yet it was still included in the State of the Union Address. It really calls into question the leadership of the White House and our intelligence agencies. And I can tell you, now, more than ever, we need to have the best intelligence sources in the world.

You cannot successfully wage a war on terrorism without the very best military intelligence, without the best information about those threatening the United States. It has to be credible evidence. The people in the intelligence agency have to have a sound working relationship with the White House and the Congress. What we saw in the State of the Union Address was a breakdown of that relationship. That does not make America safer. It makes us more vulnerable.

Secondly, this is a Nation now pledged to a policy of preemption. We are prepared, according to this President, to invade a nation that may threaten us, even if they do not apparently pose any imminent danger to us at the time. How do you reach the conclusion that a nation threatens us? Clearly from intelligence information. Clearly, the intelligence coming out of the CIA, the Defense Intelligence Agency, the National Security Agency, and others has to be delivered to the National Security Council and to the President in a credible fashion. Yet we have clear evidence that the chain of communication which we count on for the security of our Nation broke down when it came to the President's State of the Union Address.

The credibility of our President is on the line. I believe he should move forward as quickly as possible to call for a full investigation. We should be able to point to those people responsible for putting this misleading language in the State of the Union Address. They should be held accountable, and they should be dismissed. That is inexcusable conduct by someone at that level of government to mislead the President or allow him to mislead the American people.

It is interesting to me that this issue is gaining ground and velocity as the President travels overseas. I certainly wish that were not the case. It would be better for him to be home because he has an important mission in Africa and a message that now will not be as clear because of this surrounding controversy. It is incumbent on us in Congress in our oversight role, and it is incumbent on the press corps in America to stand up to their responsibility to ask the hard questions and, in asking those questions, find out who should be held accountable for this misleading statement in the President's State of the Union Address. We owe it to the American people to give them the answers, to tell them that in the war on terrorism our intelligence sources are credible, that they have a good linkage and dialog with the White House and that the linkage will make America a safer place.

Someone made a decision to twist and distort this information for reasons which have yet to be disclosed. As we led to the buildup to the invasion of Iraq, that was one of the things the American people believed because they heard it from their President. The President in the State of the Union Ad-

dress speaks from the heart to the American people. He should be believed. In that situation, he needs to have the very best advisers and staff near him giving him accurate information. We now know that the President has been embarrassed by information which he said and has now had to say to the American people was not true. That has to change. People have to be held accountable. That should be done immediately.

If Congress cannot force this investigation, the President, as our leader, as the person responsible for the executive branch, should initiate this investigation on his own, find those responsible, hold them accountable, and dismiss them from the Federal Government.

I yield the floor.

The PRESIDING OFFICER (Mr. SMITH). The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I ask unanimous consent to speak for up to 40 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I come to the Chamber to speak about a very important subject, one we will be debating more vigorously next week when we return. Hopefully, we will be back on the subject of energy independence and energy policy for the Nation. The Chair and I serve on a subcommittee with responsibility in that regard, and we both work closely with Senator DOMENICI and Senator BINGAMAN on fashioning energy policy. We will soon be back on that. I wanted to make a couple of comments regarding several important aspects of the energy legislation.

Before I do, I would be remiss if I did not associate myself with the remarks of the Senator from Illinois. He raises a very important point, a critical point, one that deserves the full attention of the Congress and the administration.

As most Americans are well aware, we are going to be conducting war in a very different way than we have conducted it in the past. The visions we all have growing up, and some of us even from personal experience in fighting in World War I or World War II or Vietnam of Korea, are going to be very different than what we face in the future. Wars are not necessarily going to be fought nation against nation, army against army, air force against air force, but they are going to be fought by our military and our homeland security apparatus and our intelligence, along with multinational intelligence against terrorist cells, some of which are not state-supported. Some cells are very difficult to find, as we know from experience because we have yet to find the leaders of two of the worst terrorist organizations in the world.

Intelligence has always been so essential to war, having the generals on the battlefield know more about the enemy than the enemy knows about us. Intelligence has been critical in win-

ning in times past, and there is no substitute. No amount of manpower or womanpower, no sophistication of weapons systems, no strategic battle plans can take the place now in the wars we are going to face, because it is a war against terror, than complete excellence through and through at every level in our intelligence apparatus.

It does not have to be only American intelligence. We have to have an international intelligence network with our allies that is the most superior ever in the world if we are going to protect the American people and act in their best interest, to use our resources wisely and to win the war against terror.

This is not something in which I like to engage, not only as a Senator but as a mother. I am not engaging in a war on terrorism so this is going to be a permanent situation. I engage in the war against terror to provide for a world where my children, who are now 11 and 6, don't have to engage. We want to win the war and win it in 5 or 10 or 15 years. It is incomprehensible to the American people that we would be engaged in such a war over the next 50 or 60 years. We want to win. We want to show the world a better way. To do that, we have to have the very best intelligence we can. The Senator from Illinois raises a very important point. While there might not have been purposeful manipulation, while no one here wants to accuse the President in any way, there are clearly some problems right now, based on the information we are receiving about who knew what and what reports were adhered to, what were pushed to the side, what information was provided and what was not.

For the overall credibility of our intelligence, the credibility of our military, the credibility of our Government, this information must be investigated more fully. The truth must come to light. The appropriate actions must be taken so we can move on to improve the current situation, which is extremely difficult.

I associate myself with the comments of the Senator from Illinois regarding our intelligence personnel.

#### ENERGY

Ms. LANDRIEU. Mr. President, I commend the majority leader from Tennessee who told us in no uncertain terms this week that the Senate will not be going to an August break until we have an energy policy adopted by the Senate. I thank him for his leadership, thank him for his vision, and thank him for basically drawing the line so that we in the Senate can get focused on bringing this important piece of legislation to a close, tying up some loose ends. There are some three or four major amendments that still need to be debated and discussed on the Energy bill, but we are close to the end under Senator DOMENICI's leadership, with Senator BINGAMAN. I have been proud to be a part of that effort. I look